

AMENDED IN ASSEMBLY JUNE 19, 2003

AMENDED IN SENATE MAY 7, 2003

AMENDED IN SENATE APRIL 22, 2003

AMENDED IN SENATE MARCH 24, 2003

**SENATE BILL**

**No. 606**

**Introduced by Senator Vasconcellos**

**(Coauthors: Senators Alpert, Florez, Karnette, McPherson,  
Morrow, Speier, and Vincent)**

(Coauthor: Assembly Member Diaz Members Chan, Cohn, Diaz,  
Koretz, Laird, Lieber, Longville, Montanez, Nunez, Pavley, and  
Wyland)

February 20, 2003

An act to amend Section 49455 of the Education Code, relating to  
pupil health.

LEGISLATIVE COUNSEL'S DIGEST

SB 606, as amended, Vasconcellos. Pupil health: vision appraisal.

(1) Existing law requires, upon first enrollment in a California school district of a pupil at a California elementary school, and at least every 3rd year thereafter until the pupil has completed the 8th grade, the pupil's vision to be appraised by the school nurse or other authorized person, as specified.

This bill would *authorize the State Department of Education to develop a notice and questionnaire regarding pupil vision. The bill would* also require that if a vision appraisal is conducted, each pupil is to receive a *copy of that* notice and questionnaire ~~regarding the pupil's vision~~, which he or she would be instructed to deliver to his or her parent

or guardian. The bill would provide that the notice and questionnaire may be included with any other written communication sent to a parent or guardian and that in the interest of efficiency, it may be sent to the parents or guardians of pupils not subject to a vision appraisal in addition to the parents or guardians of pupils that have received a vision appraisal. By imposing additional duties on school districts relating to vision appraisals, this bill would impose a state-mandated local program.

*The bill would, in addition, authorize the department to periodically evaluate and update the notice and questionnaire to ensure its effectiveness in vision assessment.*

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) The people of California recognize the significance of  
4 ensuring that each and every pupil is tested periodically for vision  
5 acuity.

6 (b) Pupils with treatable vision obstacles that go undiagnosed,  
7 whose parent or guardian may not be aware of alternative  
8 screening measures available to address their specific needs, can  
9 become inattentive, too often underachieve, and are often labeled  
10 as “at-risk”.

11 (c) There is growing evidence that many pupils in the public  
12 education system, and more within the juvenile justice and  
13 correctional systems, who performed poorly in school were  
14 affected by undiagnosed vision problems that went undiagnosed  
15 based upon the current standards for vision testing.

16 (d) Good vision consists of more than 20/20 eyesight and the  
17 standard for vision screening should maximize the potential for  
18 diagnosing treatable vision problems at a time critical to making



1 a difference to the pupil's educational development by addressing  
2 a pupil's ability to understand and interpret visual information.

3 SEC. 2. Section 49455 of the Education Code is amended to  
4 read:

5 49455. (a) Upon first enrollment in a California school  
6 district of a pupil at a California elementary school, and at least  
7 every third year thereafter until the pupil has completed the eighth  
8 grade, the pupil's vision shall be appraised by the school nurse or  
9 other authorized person described in Section 49452. This  
10 evaluation shall include tests for visual acuity and color vision;  
11 however, color vision shall be appraised once and only on male  
12 pupils, and the results of the appraisal shall be entered in the health  
13 record of the pupil. Color vision appraisal need not begin until the  
14 male pupil has reached the first grade. Gross external observation  
15 of the pupil's eyes, visual performance, and perception shall be  
16 performed by the school nurse and the classroom teacher.

17 (b) (1) (A) ~~Upon~~ *The department may develop a notice and*  
18 *questionnaire regarding pupil vision based upon the model set*  
19 *forth in paragraph (3). If the department develops the notice and*  
20 *questionnaire, each pupil shall receive a copy of the notice and*  
21 *questionnaire upon the performance of an appraisal pursuant to*  
22 *subdivision (a), each pupil shall receive a notice and questionnaire*  
23 ~~regarding the pupil's vision.~~ Each pupil shall be instructed to  
24 deliver the notice and questionnaire to his or her parent or  
25 guardian.

26 (B) The notice and questionnaire may be included with any  
27 other written communication delivered to a parent or guardian. In  
28 the interest of efficiency, if a school elects to send the notice and  
29 questionnaire pursuant to this subparagraph, it may send the  
30 materials to parents or guardians of pupils not subject to a vision  
31 appraisal in addition to the parents or guardians of pupils identified  
32 in subparagraph (A).

33 ~~(2) The notice and questionnaire shall contain the following~~  
34 ~~language:~~

35 (2) *The department may periodically evaluate and update the*  
36 *notice and questionnaire developed pursuant to this subdivision to*  
37 *ensure its effectiveness in vision assessment.*

38 (3) *The notice and questionnaire shall be developed based*  
39 *upon the following model:*

1 “Dear Parent or Guardian:

2

3 Your child’s ability to see clearly and to accurately interpret  
4 visual information is crucial to his or her learning and success in  
5 school. To aid in identifying additional vision-related difficulties  
6 that may not have been discovered through existing visual health  
7 testing procedures at your child’s school, but may merit treatment  
8 by a qualified eye care professional, the Legislature has passed a  
9 law requiring that this notice and questionnaire be sent home with  
10 your child if he or she has received vision acuity or color visual  
11 screening at their school.

12 This notice contains a questionnaire that you are encouraged to  
13 complete.

14 PLEASE IDENTIFY ANY OF THE FOLLOWING  
15 STATEMENTS THAT DESCRIBE YOUR CHILD:

16 Your child is behind by one or more grade levels in school.

17 Your child’s school performance is not up to his or her potential.

18 Your child complains of blurred vision while reading and  
19 writing.

20 Your child uses a finger or fingers as a marker when reading.

21 Your child makes frequent reversals when reading and writing.

22 Your child skips and rereads words or letters.

23 Your child omits or confuses small words when reading.

24 Your child frowns or squints to see.

25 Your child turns or tilts his or head in order to use one eye only.

26 Your child avoids close work or detailed activities.

27 Your child reads in dim light.

28 Your child loses place while reading.

29 Your child holds reading materials closer than normal.

30 Your child is bothered by glare from a page.

31 Your child is sensitive to bright light.

32 Your child reports the sensation of his or her eyes ’not working  
33 together.’

34 One of your child’s eyes turns inward, outward, upward, or  
35 downward at any time.

36 Your child tires of looking at materials closely in a short amount  
37 of time.

38 Your child reports pain around or in either or both of his or her  
39 eyes.

40 Your child has red, irritated eyes or eyelids.



1 Your child experiences excessive tearing of his or her eyes.

2 Your child rubs his or her eyes frequently.

3 Your child closes or covers one eye in bright light or during  
4 visual tasks.

5 After reading or close work, your child's distance vision is  
6 blurry.

7 Your child notices that print swims, moves, floats, or doubles.

8 Your child sees double (two of a single thing).

9 Your child gets headaches with eye use.

10 Your child experiences difficulty with eye-hand-body  
11 coordination.

12 Your child tends to bump into objects.

13 IF THE ANSWER WAS 'YES' TO ONE OR MORE OF THE  
14 STATEMENTS ABOVE, YOU ARE ENCOURAGED TO  
15 SHOW THIS QUESTIONNAIRE TO, AND HAVE YOUR  
16 CHILD ASSESSED BY, A QUALIFIED EYE CARE  
17 PROFESSIONAL.”

18  
19 (c) The evaluation and appraisal performed pursuant to this  
20 section may be waived, if the pupil's parents so desire, by their  
21 presenting of a certificate from a physician and surgeon or an  
22 optometrist setting out the results of a determination of the pupil's  
23 vision, including visual acuity and color vision.

24 (d) This section does not apply to any pupil whose parents or  
25 guardian file with the principal of the school in which the pupil is  
26 enrolling, a statement in writing that they adhere to the faith or  
27 teachings of a well-recognized religious sect, denomination, or  
28 organization and in accordance with its creed, tenets, or principles  
29 depend for healing upon prayer in the practice of their religion.

30 SEC. 3. It is the intent of the Legislature that funds  
31 appropriated to implement existing vision appraisal services shall  
32 be used to support the requirements imposed by subdivision (b) of  
33 Section 49455 of the Education Code.

34 SEC. 4. State and federal funds appropriated in support of  
35 pupil vision appraisals or screening programs, including, but not  
36 limited to, funds made available through an appropriate item in the  
37 annual Budget Act, shall be considered additional revenue in  
38 accordance with subdivision (e) of Section 17556 of the  
39 Government Code and shall be used to offset any state-mandated

1 local costs incurred by school districts when complying with this  
2 article.

3 SEC. 5. No reimbursement is required by this act pursuant to  
4 Section 6 of Article XIII B of the California Constitution because  
5 this act provides for additional revenue that is in an amount  
6 sufficient to fund the cost of the state mandate within the meaning  
7 of Section 17556 of the Government Code.

